

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL TERPIN,

Plaintiff,

**OPINION & ORDER**

- against -

No. 20-CV-3557 (CS)

ELLIS PINSKY, as an individual; and DOES 1-20,

Defendants.  
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Seibel, J.

Before the Court is Defendant's *ex parte* application to redact his home address from Docket Entries 2, 4, and 6. The Court GRANTS Defendant's application and finds that on the unique facts of this case, the application should remain *ex parte* and sealed.<sup>1</sup> The Clerk of Court is respectfully directed to seal Docket Entries 2, 4, and 6. Additionally, all future public filings containing Defendant's home address must have Defendant's home address redacted, and two unredacted copies should be sent to the Court's chambers to be filed under seal.

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<sup>1</sup> In reaching this decision, the Court has considered the three-part test articulated in *Lugosch v. Pyramid Co. of Onondaga*: (1) determining whether the documents in question are judicial documents; (2) assessing the weight of the common law presumption of access to the materials, and (3) balancing competing considerations against the presumption of access. 435 F.3d 110,120 (2d Cir. 2006). I doubt that the request for summons and the summons are judicial documents, as they are not used by a judge in making a decision, but rather are entirely administrative. An affidavit of service could theoretically be a judicial document if service were contested, but even then, the value to the public of the document – as opposed to the facts and evidence underlying the document – would be low. In any event, here the competing considerations, which the Court will not further detail publicly, strongly favor sealing. The sealing application itself (which the Court will file under seal) is plainly a judicial document, but again the competing considerations strongly favor sealing.

**SO ORDERED.**

Dated: June 1, 2020  
White Plains, New York

  
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CATHY SEIBEL, U.S.D.J.